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9 Attorneys for Representative Plaintiff and the Plaintiff
10 Classes

11 UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 MARCUS ESCOW-FULTON,
14 individually, and on behalf of all others
15 similarly situated,

16 Plaintiffs,

17 vs.

18 SPORTS AND FITNESS CLUBS OF
19 AMERICA, dba 24 HOUR FITNESS,
20 INC.,

21 Defendant.

CASE NO. C07-01056 EMC

**JOINT STIPULATION TO DISMISS
COMPLAINT ; ORDER**

1 WHEREAS, the Plaintiff Marcus Escow-Fulton and Defendant 24 Hour Fitness
2 USA, Inc., have reached an agreement to dismiss this Complaint, in its entirety, without prejudice
3 with all parties to bear their own costs and fees.

4
5 Therefore, IT IS HEREBY STIPULATED by and between the parties through
6 their undersigned counsel that this action is dismissed, in its entirety, without prejudice.

7
8 DATED: March 12, 2007

PAUL, HASTINGS, JANOFSKY & WALKER LLP
ROBERT P. KRISTOFF
JOHN C. POST

9
10
11 By: 

ROBERT P. KRISTOFF

12 Attorneys for Defendant
13 24 Hour Fitness USA, Inc.

14 DATED: March 12, 2007

SCOTT COLE & ASSOCIATES, APC
SCOTT E. COLE
CLYDE H. CHARLTON
MATTHEW R. BAINER

15
16
17
18 By: 

SCOTT E. COLE

19 Attorneys for Representative Plaintiff, Marcus Escow-
20 Fulton, and the Plaintiff Classes

21
22
23 IT IS SO ORDERED:

24
25 DATED: March 12 2007

By: 

Judge Edward M. Chen